

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

THOMAS EARL TILLEY,)	
)	
Petitioner,)	
)	1:17CV492
v.)	1:14CR130-1
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

On June 1, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 86, 87.) Petitioner filed objections (Doc. 88) to the Recommendation.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that Petitioner's document (Doc. 85) is construed as a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255, and that this action be, and is hereby, dismissed without prejudice to Petitioner promptly filing a corrected motion on the proper § 2255 forms, correcting the defects set out in the Order and Recommendation. A Judgment

dismissing this action will be entered contemporaneously with this Order.

This the 22nd day of June, 2017.

William L. Ostrow, Jr.

United States District Judge